

**United States District Court
for the
Eastern District of Washington**

Dec 17, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA)
)
)
v.)
)
GUMARO GARCIA-HERRERA)
)

Case No. 2:20-mj-00496-JTR

CRIMINAL COMPLAINT

I, Jaimie A. Waite, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 14, 2020, in the county of Grant in the Eastern District of Washington, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1326	Alien in the United States After Deportation

This complaint is based on these facts:

On or about December 14, 2020, **Gumaro GARCIA-HERRERA**, a citizen and national of Mexico, who theretofore on or about January 18, 2004 has been arrested and deported from the United States at San Ysidro, California, was found in the United States by Moses Lake Police Officer Mitch Hohman, in Grant County, Washington, within the Eastern District of Washington.

Gumaro GARCIA-HERRERA did not have the expressed consent of the Attorney General, or his successor, or the Secretary of the Department of Homeland Security to apply for re-entry into the United States.

I further state that I am an Immigration and Enforcement Removal Officer and that this complaint is based on the following facts: I have personal knowledge based upon the documents contained in the defendant's alien file that **Gumaro GARCIA-HERRERA** is a citizen and national of Mexico who was arrested and deported from the United States at San Ysidro, California on January 18, 2004.

Additionally, the Defendant, **Gumaro GARCIA-HERRERA**, was contacted by Moses Lake Police Officer Hohman on December 14, 2020 in Moses Lake, Washington. The Defendant, **Gumaro GARCIA-HERRERA**, produced a Washington State Drivers' license (WDL765Z7003B). I, Deportation Officer Waite, spoke to Officer Hohman after this contact and Officer Hohman relayed the above information.

Continued on the attached sheet.

On December 15, 2020 Deportation Officer Waite obtained US DHS ICE database records of the January 18, 2004, removal of **Gumaro GARCIA-HERRERA, A097819943**, at San Ysidro, California. The Defendant **Gumaro GARCIA-HERRERA** was positively identified to be the same person who was processed on or about January 18, 2004 in San Ysidro, California with matching name, date of birth and photograph.

As aforesaid, the Attorney General, or his successor, or the Secretary of the Department of Homeland Security has not approved the Defendant for re-admission into the United States.



Jaimie A. Waite
Complainant's signature

Jaimie A. Waite, Deportation Officer, ICE
Printed name and title

Sworn to before me telephonically and signed electronically.

Date: December 17th, 2020



City and state: Spokane, Washington

John T. Rodgers, United States Magistrate Judge

